

**9451. Adulteration of macaroni. U. S. v. 22 Cases of Macaroni. Default decree of condemnation and destruction.** (F. D. C. No. 18328. Sample No. 32264-H.)

**LIBEL FILED:** November 7, 1945, District of Arizona.

**ALLEGED SHIPMENT:** On or about August 31, 1945, by the Pacific Macaroni Co., from Los Angeles, Calif.

**PRODUCT:** 22 cases, each containing 20 1-pound packages, of macaroni at Phoenix, Ariz.

**LABEL, IN PART:** "Gold Stem Brand 100% No. 1 Semolina Macaroni Products."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9452. Adulteration of macaroni products. U. S. v. 15 Cases and 21 Cases of Macaroni and 10 Cases of Spaghetti. Default decrees of condemnation and destruction.** (F. D. C. Nos. 19087, 19088. Sample Nos. 10999-H, 59709-H, 59712-H.)

**LIBEL FILED:** February 6, 1946, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 19 and December 21, 1945, by the Niagara Macaroni Manufacturing Co., Inc., from Buffalo, N. Y.

**PRODUCT:** 36 cases, each containing 20 pounds, of macaroni and 10 cases, each containing 20 1-pound packages, of spaghetti at Pittsburgh, Pa.

**LABEL, IN PART:** "Niagara Brand Extra Fine Macaroni \* \* \* Linguine [or "Magliette"]," or "Niagara \* \* \* Spaghetti."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** March 15, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

#### MISCELLANEOUS CEREAL PRODUCTS\*

**9453. Adulteration of ground buckwheat hulls. U. S. v. 765 Bags of Ground Buckwheat Hulls. Default decree of condemnation and destruction.** (F. D. C. No. 17662. Sample No. 13756-H.)

**LIBEL FILED:** September 26, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about August 17, 1945, by Frank H. Blodgett, Inc., from Janesville, Wis.

**PRODUCT:** 765 90-pound bags of ground buckwheat hulls at Cleveland, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article contained rodent hairs and insect fragments.

**DISPOSITION:** January 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9454. Adulteration of brewer's grits. U. S. v. 293 Bags of Brewer's Grits. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 18348. Sample No. 1312-H.)

**LIBEL FILED:** On or about November 28, 1945, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about August 23, 1945, by the Kimbell Milling Co., from Clifton, Tex.

**PRODUCT:** 293 100-pound bags of brewer's grits at Orlando, Fla.

**LABEL, IN PART:** "Kimco Brewers Grits."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils and larvae.

**DISPOSITION:** December 12, 1945. The Atlantic Co., Orlando, Fla., claimant, having admitted the allegations of the libel, judgment of condemnation was

\*See also Nos. 9417, 9424, 9443.

entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**9455. Adulteration of brewer's rice grits. U. S. v. 4,689 Bags of Brewer's Rice Grits. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. Nos. 18527, 18718, 18719. Sample Nos. 51002-H, 51004-H to 51008-H, incl., 51010-H.)

**LIBEL FILED:** On or about December 4; amended December 27, 1945, District of Minnesota.

**ALLEGED SHIPMENT:** Between the approximate dates of May 7 and October 24, 1944, from Crowley, La.

**PRODUCT:** 2,019 200-pound bags and 2,670 100-pound bags of brewer's rice grits at Minneapolis, Minn., in the possession of the Security Warehouse Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta was observed on them. Examination of the product showed the presence of rodent excreta, urine, rodent hairs, weevils, and larvae.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 20, 1946. The Pillsbury Mills, Inc., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was used in the manufacture of alcohol.

**9456. Adulteration of rolled oats. U. S. v. 85 Bags and 24 Bags of Rolled Oats. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a local hospital, for use as animal feed.** (F. D. C. Nos. 17613, 18374. Sample Nos. 1117-H, 4574-H.)

**LIBELS FILED:** September 27 and November 14, 1945, Eastern District of Pennsylvania and Western District of North Carolina.

**ALLEGED SHIPMENT:** On or about August 9 and September 27, 1945, by the Quaker Oats Co., from Akron, Ohio.

**PRODUCT:** 85 bags and 24 bags of rolled oats at Philadelphia, Pa., and Valdese, N. C., respectively.

**LABEL, IN PART:** (Bag) "100 Lbs. Net Buckeye Rolled Oats."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and cast skins.

**DISPOSITION:** December 24, 1945, and January 10, 1946. No claimant having appeared, judgments of condemnation were entered and the North Carolina lot was ordered destroyed and the Pennsylvania lot was ordered delivered to a local hospital, for use as animal feed.

**9457. Adulteration of popcorn. U. S. v. 237 Cases and 171 Bags of Popcorn. Decrees of condemnation. One lot ordered released under bond; remaining lot ordered delivered to a public institution.** (F. D. C. Nos. 17565, 19076. Sample Nos. 10736-H, 31166-H.)

**LIBELS FILED:** September 18, 1945, and February 4, 1946, District of Arizona and Western District of New York.

**ALLEGED SHIPMENT:** On or about April 27 and November 21, 1945, by the Albert Dickinson Co., from Chicago, Ill.

**PRODUCT:** 237 cases, each containing 24 10-ounce packages, of popcorn at Phoenix, Ariz., and 171 100-pound bags of the same product at Buffalo, N. Y.

**LABEL, IN PART:** (Package) "Dickinson's Little Buster Hulless Pop Corn," or (bag) "Big Buster Brand South American Variety Yellow Popcorn."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, in-